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KNI-159-A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentee: Matsuda et al.
Serial Number: 10/057,779 US PATENT & TRADEMARK
Filed: 24 January 2002 OFFICE
Patent Number: 6,813,303
Issued: 02 November 2004
Group Art Unit: 2828
Examiner: L. A. Al Nazer
Confirmation Number: 9335
Title: Laser Oscillator And Light Scattering
Particle Detector Using The Same

REQUEST FOR REFUND

Mail Stop 16
Director Of The United States Patent And Trademark Office
Post Office Box 1450
Alexandria, Virginia 22313-1450

PATENT
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2005 AUG -1 File No. 10
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Sir:

In connection with the referenced application, patentee respectfully requests a refund in the amount of \$86.00, to be credited to Deposit Account 50-0744 in the name of patentee's undersigned representative, Carrier, Blackman & Associates, P.C. The reason for requesting refund is as follows.

The application, as filed on 24 January 2002 and incorporating Preliminary Amendment-A, contained the following claims with their respective dependencies (I = independent claim; X = cancelled claim):

<u>claim, dependency</u>		<u>claim, dependency</u>		<u>claim, dependency</u>		<u>claim, dependency</u>	
1	I	6	on 2	11	X	16	X
2	I	7	I	12	X	17	on 14
3	on 2	8	on 7	13	on 10		
4	X	9	on 8	14	on 10		
5	X	10	I	15	on 14		

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The claim totals were: 12 total 4 independent.

The fourth independent claim was paid for by way of a \$84.00 charge to Deposit Account 50-0744 that posted on 13 March 2002:

Amendment-B, filed on 27 June 2003, changed the claims to:

<u>claim, dependency</u>	<u>claim, dependency</u>	<u>claim, dependency</u>	<u>claim, dependency</u>
1 I	6 on 2	11 X	16 X
2 I	7 I	12 X	17 on 14
3 on 2	8 on 7	13 on 10	18 I
4 X	9 on 8	14 I	19 on 18
5 X	10 I	15 on 14	

The new claim totals were: 14 total 6 independent.

The fifth and sixth independent claims were paid for by way of a \$168.00 check (#FB2359) dated 25 June 2003 that was cashed on 02 July 2003.

Amendment-C, filed on 24 December 2003, changed the claims to:

<u>claim, dependency</u>	<u>claim, dependency</u>	<u>claim, dependency</u>	<u>claim, dependency</u>
1 I	6 on 2	11 X	16 X
2 I	7 I	12 X	17 on 14
3 on 2	8 on 7	13 on 10	18 I
4 X	9 on 8	14 I	19 on 18
5 X	10 I	15 on 14	20 on 2
			21 on 2

The new claim totals were: 16 total 6 independent.

There were no additional claim fees due.

Amendment-D, filed on 13 May 2004, changed the claims to:

<u>claim, dependency</u>	<u>claim, dependency</u>	<u>claim, dependency</u>	<u>claim, dependency</u>
1 I	6 on 2	11 X	16 X
2 I	7 I	12 X	17 on 14
3 on 2	8 on 7	13 on 10	18 I
4 X	9 on 8	14 I	19 on 18
5 X	10 I	15 X	20 X
			21 X

The new claim totals were: 13 total 6 independent.

There were no additional claim fees due.

Nevertheless, the Patent Office charged \$86.00 to Deposit Account 50-0744 on 24 May 2004 for one more independent claim in excess of three. As detailed above, however,

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payment for all independent claims in excess of three (a total of 3) has already been made. The 24 May 2004 charge of \$86.00 to Deposit Account 50-0744, therefore, is in error.

The Examiner's Amendment filed 18 June 2004 did not amend claims. The patent issued with 13 total claims, 6 independent among them.

Based on the presented argument, patentee respectfully requests that the Patent Office refund the \$86.00 fee collected on 24 May 2004 to Deposit Account 50-0744 in the name of patentee's undersigned representative. Favorable and prompt consideration is respectfully requested. A duplicate copy of this Request For Refund is enclosed.

Respectfully submitted,



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24101 Novi Road, Suite 100
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26 July 2005

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Mail Stop 16, Director Of The United States Patent And Trademark Office, Post Office Box 1450, Alexandria, Virginia 22313-1450 on 26 July 2005.

Dated: 26 July 2005
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Erica Briggs

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: T. Matsuda et al.

Serial No.: 10/057,779

Filed: 24 January 2002

Group Art Unit: 2828

Examiner: Al Nazer, Leith A.

Confirmation No. 9335

Title: LASER OSCILLATOR AND LIGHT SCATTERING
PARTICLE DETECTOR USING THE SAME

AMENDMENT-D UNDER 37 CFR 1.116

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Adjustment Date: 09/20/2005 SDIRETA1
05/24/2004 AFORD1 0000006 500744 10057779
01 FC:1201 86.00 CR

PAGE 2/7 * RCVD AT 5/13/2004 4:54:59 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-15 * DMS:0726306 * CSD:2433441096 * DURATION (mm:ss):04:32

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